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Attorney for Defendant

GLEN BURKE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA

2:16-CR-00262-JAD-PAL

Plaintiff

v.

GLEN BURKE,

Defendant

STIPULATED MOTION AND ORDER TO RETURN PASSPORT

IT IS HEREBY STIPULATED AND AGREED by and between MICHAEL J. MICELI, ESQ. Counsel for Defendant GLEN BURKE and TIMOTHY FINLEY, UNITED STATES DEPARTMENT OF JUSTICE, that the passport currently in the possession of US Pretrial Services will be held in the possession of pretrial services until Defendant Burke surrenders to the custody of BOP, and then it will be returned to Defendant Burke's attorney Michael J. Miceli, and that it will remain in the custody of Mr. Miceli's law office until Defendant Burke is released from custody.

This Stipulation is entered into for the following reasons:

1. On or about March 14, 2018, Defendant Burke was sentenced to a term of 87 months incarceration pursuant to the judgment of this Court. Defendant Burke has a surrender date of October 8, 2018.

2. Defendant Burke has been on pretrial release since his initial arrest and has complied with all terms of release.
3. US Pretrial Services is currently in possession of Defendant Burke's passport.
4. Counsel has been informed by pretrial officer Kelly Bowen that if counsel does not obtain the passport that it will be sent to the State Department to be destroyed.
5. Counsel is informed that US Pretrial Services needs an Order from this Court in order to release Burke's passport.
6. US Pretrial Services Officer Kelly Bowen has no objection to returning the passport to counsel, if the Court so orders.
7. If the passport is returned, counsel will hold onto the passport during the time period that Mr. Burke is incarcerated, and will not give the passport back to Mr. Burke prior to release from incarceration without an order from this court.
8. Based upon the above and foregoing, Counsel submits that good cause appearing that the Court issue an Order allowing Pretrial Services to return Defendant Burke's passport to counsel after his surrender date of October 5, 2018.

DATED: May 10, 2018

/S/
MICHAEL J. MICELI, ESQ.
601 LAS VEGAS BOULEVARD, SOUTH
LAS VEGAS, NEVADA 89101
ATTORNEY FOR THE DEFENDANT
GLEN BURKE

/S/
TIM FINLEY, ESQ.
UNITED STATES DEPARTMENT OF JUSTICE
450 5TH STREET N.W. #6400
WASHINGTON D.C. 20001
ATTORNEY FOR UNITED STATES OF
AMERICA

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5 **GLEN BURKE**

6
7 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
* * *

8
9 UNITED STATES OF AMERICA) 2: 16-CR-00262-JAD-PAL
10)
Plaintiff)
11 v.)
12)
GLEN BURKE,)
13)
Defendant)
14)

15 **ORDER**

16 IT IS HEREBY ORDERED that Glen Burke's Passport be returned to Defendant Burke's
17 attorney Michael J. Miceli after Defendant Burke surrenders to the Bureau of Prisons on October
18 5, 2018 and that Mr. Miceli maintain custody of the passport during the time period that Mr.
19 Burke is incarcerated, and not give the passport back to Mr. Burke prior to release from
20 incarceration."

21 DATED this 11th day of May, 2018.

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U.S. DISTRICT JUDGE
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